

**San Francisco Estuary Project
Implementation Committee Meeting**

April 6, 2007

Elihu M. Harris State Building

Oakland, California

DRAFT MEETING SUMMARY

1. Introductions/Approval of March 2, 2007 Meeting Summary

Tom Mumley, Chair of the Implementation Committee (IC), called the meeting to order at 9:40 am. He proceeded with a round table of introductions. The Meeting Summary for March 2, 2007 was approved. He provided an overview of the meeting agenda and deferred to Marcia Brockbank for a summary of the handouts; a support document for the resolution from the original CCMP; an National Estuary Program fact sheet produced by EPA; a list of SFEP contracts indicating SFEP has \$16 million in 34 contracts; only EPA base funding has decreased.

2. Public Comments

Earl Bouse, representing the SF Marine Sand Mining & Oyster Harvesting Study stated he had commented previously on the new actions related to sand mining and oyster shell habitat. He noted again that the sand primarily from central Bay is used in concrete ready-mix which is in short supply and most of which must come from British Columbia and Mexico. The sand in Suisun Bay is not up to grade. He noted the oyster shell deposits are centuries old and mining them does not promote new oyster bed growth; they are not useful for adding new beds. Forrest Williams questioned if the sand miners plan to explore other options. Bouse stated they wish to continue using existing Bay sites. Arthur Feinstein stated State Lands Commission is doing a full EIR/EIS on the mining. Tom Mumley stated the Regional Water Board also has permit authority on sand mining relative to associated environments.

Maxene Spellman noted the Spartina Project is controlling spartina and asked that the EPA fact sheet be corrected to state 15,000 acres have been eradicated not 20 acres.

3. CCMP Steering Committee Report

The documents are presented for information today but members are invited to submit written comments within the next 2 weeks. They will be presented at future meetings for final approval.

Draft Outline Executive Summary - Tom Mumley noted the Executive Summary will highlight two aspects; 1) the updated CCMP is a new document with new information compiled together with original information and a clarification of the intent of the update; 2) it will highlight key themes emphasizing successes and challenges.

Arthur Feinstein noted the document must identify new actions vs. original. Barbara Salzman stated the cover should be revised to indicate 2nd Edition. Lisa Owens Viani stated people mentioned needing more studies and she would like clarification of what studies are needed. Arthur stated the introduction should have a general statement noting there are still large gaps of knowledge and the actions identify specific needs. Rick Morat stated the editor needs to ensure there is good fit between the chapter introductions and the master introduction.

Draft IC Support Resolution - It was requested that if members submit written comments, particularly on the resolution, they are clear on the change they would like and the reason for it. Trish Mulvey noted that SFEP used a resolution to build support for the first CCMP in 1993-94. Barbara Salzman stated we were not planning for public review of this document. Tom Mumley stated the review would be by the IC and there would be targeted outreach by SFEP.

Forrest Williams questioned if this was the only Implementation Committee or are there others we could approach for reference? Brockbank stated each National Estuary program is organized differently and has its own management structure. Forrest wondered if there were resources available. Luisa Valiela explained resource sharing is limited because resources are scarce; and Brockbank added the NEPs share a lot of information and do some things collaboratively. Tom Mumley noted that once the updated CCMP is approved the IC can discuss how to get buy-in for the changes recommended.

Draft Approach for Performance Measures and Costs – The approach provided a definition for performance measures and how to develop them. IC members discussed the difference between “outputs” how they are tracked and lead to environmental “outcomes.” Maxene Spellman questioned if the outcomes would involve quantifiable numbers such as # of acres. Tom Mumley said they should address to the extent an action is quantifiable but need to relate to a target to have relevance. Maxene said the definition should add “performance measures must be quantifiable.” Gary Bobker stated a performance measure that is not quantifiable is not a performance measure. Steve McAdam offered that regulatory agencies have difficulty quantifying environmental outcomes. How do you capture negatives or the bad things that did not happen? BCDC estimates many projects do not get submitted for approval because it is known they would not be approved. Cathy Bleier said there must be an appropriate target in order to show improvement.

The cost matrix indicated costs will be standardized by order of magnitude, type, and degree of uncertainty. An icon will be used to demonstrate order of magnitude.

Tom Mumley had one last issue related to process that by presenting the committee with electronic copies of the chapters it was proving a burden to the workgroups. If recommending changes, members need to present why the change is necessary and not simply edit the work. The meeting summary of the work group will provide the official response to comments.

4. CCMP Update - Land Use/Watershed Management

Cathy Bleier and Rainer Hoenicke workgroup facilitators provided a brief overview of the revisions. Tom Mumley followed with a walk-thru of the revised actions. IC members were asked to provide brief comments and requests for clarifications. Detailed concerns must be submitted in writing for the workgroup to consider.

Cathy began with the background and process. This chapter required the most significant revision as the original CCMP did not comprehensively address watershed issues. The workgroup had about 10 meetings and had a mailing list of 32; about a dozen participated regularly. There are 30 actions, a large new introduction, and the first objective deals with policy; the second and third objectives with program implementation at the grass roots level; the fourth with public education and the fifth with funding.

Rainer followed with noting the original CCMP had a Bay centric approach whereas now it is recognized that the pressures happen in the watershed. You cannot uncouple what is happening in the watersheds from the effects in the receiving water. Much has happened at the state level to improve watershed management policy. This was followed by a walk-thru of the action items.

General Questions/Observations

Rick Morat asked about LU-3. This objective was completely revised and the actions are new.

Geoff Brosseau asked if the chapter speaks to the impact of global climate change on water infrastructure. Rainer responded it only addresses climate change very generally. Cathy mentioned Bob Twiss raised the issue at the first meeting but the workgroup did not try to layout any detailed actions.

Arthur Feinstein: the language is very dense and long and should be simplified by using sub-headings, bullets, footnotes and providing more sub-sections.

Steve McAdam was very impressed with the effort and asked that BCDC be included in certain actions involving regulatory management since they regulate waters going into the Bay as well as the Bay (development and transit actions).

Ted Smith concurred the chapter was too long; introduction needs consolidation; fewer words.

Barbara Salzman agreed; language was dense; reference to numerous plans not informative.

Beth Huning also agreed; a lot of information that is embedded in the “What” is background information. The Joint Venture needs to be inserted in a few places.

Katie McGourty asked how recommended changes in land use management move towards habitat conservation plans and how to facilitate this.

Rick Morat said the Steering Committee must provide a model for the reader to comprehend—the complexity of the ecosystem—a graphic might be helpful. Arthur agreed a graphic would be useful for the watershed chapter. The IC may want to revisit this section in the future, continuing governance is needed.

Forrest Williams stated there are many environmental activities throughout the state and it would be useful to connect the dots – transportation and energy. Members suggested this could be a paragraph in the Executive Summary. Cathy Bleier asked Forrest to provide specifics on issues he would like to see addressed.

Luisa Valiela commented number 4 on page 6 provides good information on this topic. It was pointed out there are two number 4s under challenges on page 6.

LU-1: Watershed protection in general plans

Barbara Salzman thought sustainability should be dropped unless it also speaks to environmental protection. Sustainable development does not address habitat and wildlife protection. It would need to be defined as a concept but related to ecological impacts. She also asked if SFEP would

track the performance measures? In the performance measure—need to count # of plans not # of revisions.

Geoff Brosseau: the glossary should include Ahwahnee and sustainability.

Arthur Feinstein stated sustainability needs to be covered in overall introduction.

Mike Connor stated the “What” is not a what—it is background. “What” needs to be made clear.

LU-1.1.1: NPS control implementation

Barbara Salzman stated the “Who” confuses who gives and who gets; seems contradictory. Need to clarify receivers of guidance.

Steve McAdam: Add BCDC to Who.

LU-1.2: Update CEQA to include flooding impacts

Mike Monroe: reference to web site may date. Geoff Brosseau felt there should be more web sites added with hyper-links.

Action: The issue of web site citations was referred to the Steering Committee.

LU-1.3: Integrate watershed protection in state policies

Barbara Salzman stated the reference in “Who” to every officer is a change in context from the rest of the CCMP which cites agencies and groups for implementation. Rainer stated this was written into the legislation. Will delete “officer”.

Members suggested modifying the text of the “What” for readability. Guidance should be paraphrased and cited in footnotes not in the text. Members commented the “Whats” in the whole document should be reviewed and the first sentence should state the “What”, not the last sentence.

Mumley reminded members to keep their comments substantive and reserve editorial suggestions for written comments.

LU-1.4: Coordinated permitting

There was discussion as to whether JARPA should go beyond a permit and whether joint permitting is beneficial. Response was this issue was covered by discussions in the work group and these comments should have been brought up there.

LU-2.3: Restore floodplains

FEMA’s role should be mentioned and clarified.

LU-2.6: Watershed Plans

This is the appropriate action to tie in habitat and species protection.

Arthur Feinstein: the “What” should be edited; the action item refers to “multi-objective” whereas “What” says “comprehensive”; not the same. He notes watershed plans need to address comprehensive issues; plans that address the elements of watershed plans; that encourage grassroots efforts.

Barbara Salzman: Supports comprehensive plans; under list of elements wants wetland species added to #1. Second paragraph on page 20, she asked what is meant by “future”? Rainer said “emerging.”

LU-2.6.1: Contents of Mitigation Plan

Barbara Salzman: Under plan elements # 5 should include “migratory and resident wildlife species.” Under # 11, it sounds like an endorsement of mitigation banks. She will work with work group on language.

LU-3.2: Endorsement of goal setting approach

Barbara Salzman: in action “ watersheds surrounding the Estuary” should read “watersheds of the Estuary,”

LU-4.3: Education and outreach to disadvantaged communities

Arthur Feinstein: need to rewrite action; it reads as a “top down” approach. Rather than “educate” should emphasize “opportunities for participation.”

Action: Written comments are due by April 27, 2007. IC will review revised chapter in June. Workgroup reconvenes Thursday, May 10, 2007 from 10am to 1pm in room 1411.

5. CCMP Update: Aquatic Resources and Wildlife - Final Presentation

Rick Morat, workgroup facilitator stated there was much acceptance of the first draft. The workgroup received about 100 written comments and 35 from the IC meeting. Comments were addressed by the workgroup and the meeting summary reflects the workgroup decisions on the comments, there were no major or substantive issues. He noted 39 actions were not touched by the group. He commented it was a huge collaborative effort on the part of government and non-government organizations and thanked the members of his workgroup.

Tom Mumley asked if there were additional comments before the call for approval.

Luisa Valiela stated if a table of contents will be inserted in each Program Area then the list of the actions in the Introduction on page 5 is not necessary.

Tom Mumley stated this was a structural issue to be addressed by the Steering Committee.

Gary Bobker stated the paragraph in the Introduction at the bottom of page 2 needs to reflect the current status. The last sentence is a bit too absolute. The State has released a Pelagic Species Action Plan. Text needs to acknowledge uncertainty.

Page 30-AR-6.3: Implementing the court settlement requires Congressional action and funding. He asked that the language be changed to read “Implement pursuant to Congressional authorization and appropriation...”

Jane Lavelle stated the acreage figures at the bottom of page 3 were not correct. The Cargill purchase in South Bay was 15,100 acres and the total Cargill acreages purchased in 1993 North Bay and 2003 South Bay was 27,600 acres. Also it is not clear if this figure is included in the

acquisition figures of 107,000 acres cited above. She also questioned as to why Action 4.11 was not updated. Response: master introduction will address why certain items were not updated.

It was moved and seconded that the revised chapter be approved contingent upon inclusion of the revisions requested at this meeting. Members approved by unanimous voice vote.

Wildlife

Tom Mumley, Chair, called for specific comments.

Barbara Salzman proposed moving the new objective 7 for wildlife protection to the #1 objective position and the remaining items be renumbered.

Steve McAdam pointed out this would be very confusing for future Report Card tracking and that previously there was no priority for objectives and actions.

Rick Morat stated the new objective could be highlighted in the chapter introduction.

Beth Huning stated the figure of 236,000 acres on page 3 of the Introduction was previously noted to be incorrect; the correct number is 60,000 acres.

Marcia Brockbank noted the Joint Venture does not include mitigation acreage but SFEP is required to. However, since the paragraph refers to the Joint Venture their figure is acceptable.

Rick Morat said the goal should be addressed on page 3 and the percentage achieved noted under achievements on page 4, e.g., 25% of goal has been achieved. Cathy Bleier suggested stating that 60,000 acres of a goal of 236,000 acres has been achieved on page 3.

Arthur Feinstein stated the paragraph on page 2 regarding diving ducks has been revised and Lisa Owens-Viani has the new language. It will replace the current paragraph.

Luisa Valiela pointed out Cost and Performance Measures will change based on Steering Committee guidelines but she recommended approval with changes to be incorporated.

Jane Lavelle noted agency names are inconsistent; sometimes NOAA Fisheries sometimes NMFS; Office of Planning & Research; State OPR; or Governor's OPR; Soil Conservation Service or NRCS. Also noted were inconsistencies with BCDC and State Coastal Conservancy (SCC) vs. California Coastal Conservancy.

Action: Agency names will be corrected to current name and adjusted for consistency by master edit on all actions even those not otherwise updated. However no new entities will be added to "Who" in any actions unless the actions have been revised.

It was moved and seconded to adopt the revised Wildlife chapter including the changes recommended by members at this meeting. Members approved by unanimous voice vote.

6. SFEP Activities

A. Budget: For the 2007-08 budget, EPA has cut the amount allocated to each National Estuary Program from approximately \$500,000 to \$388,000 a cut of \$112,000. This is the budget that

takes effect December 1, 2007 and the funds are SFEP's only discretionary funds that provide the ability to leverage our resources in protecting and restoring the estuary. Marcia Brockbank asked the IC to consider cutting the small grants program which will save \$90,000. An additional reduction of \$22,000 is needed. Brockbank will begin cost saving measures now with the goal of having some surplus to roll over to next fiscal year. One staff member will take early retirement but this is not yet official. She will bring the revised budget back in May with the proposed cuts for IC approval.

B. State of the Estuary Conference: Copies of the Call for Posters and Call for Awards were available at the meeting and are also available on the web site. SFEP is seeking sponsorships to fund the conference. Please contact Karen McDowell with sponsorship offers or topic ideas.

C. 2007 Report Card

Draft report card is in preparation for circulation in June. Please send any updates to Lisa Owens-Viani at lowensvi@earthlink.net

D. Program Manager Retirement: Marcia Brockbank formally announced she will retire as SFEP Program Manager as of December 31, 2007. Tom Mumley as Chair of the Implementation Committee in partnership with ABAG and US EPA will convene a selection committee to begin a search for her successor. Please contact Tom Mumley if you wish to participate on the selection committee or wish to nominate a candidate. He will report on the search strategy next month.

The next Implementation Committee meeting will be Friday, May 4, 2007. The meeting was adjourned.